

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04-30072-MAP

JOSEPH ROSEMOND,)
PLAINTIFF)
)
v.)
)
STOP AND SHOP SUPERMARKET)
COMPANY,)
DEFENDANT)
_____)

SECOND AFFIDAVIT OF JOSEPH ROSEMOND

I, Joseph Rosemond, hereby depose and state:

1. After I filed my Opposition to Defendant's Motion for Summary Judgment, I was investigated by Stop & Shop employees Kenneth Burroughs and Julia Clarke regarding an incident which occurred in my current store on my day off.
2. Mr. Burroughs and Ms. Clarke informed me that several "hangman" figures made from plastic twist ties were found hanging in my current store.
3. Mr. Burroughs and Ms. Clarke indicated that the hangman figures appeared to be hung by the neck from gallows.
4. Contrary to the assertion of Kenneth Burroughs, I did not tell Mr. Burroughs and Ms. Clarke that I did not think there were any problems or issues in the store.
5. In fact, since I submitted my first affidavit, I have been subjected to disciplinary action which I believe was motivated by racial discrimination and retaliation for my opposition to Stop & Shop's discrimination in this action.
6. In May of 2006, I was transferred to another store and given a final warning.
7. Prior to filing my complaint in this matter, I had never been subjected to any disciplinary action in over ten years of employment with Stop & Shop.
8. This disciplinary action was allegedly taken because I spoke to a Caucasian female subordinate in my office "without a witness" and confronted a male subordinate after learning that he was spreading the untruthful rumors that I was having an inappropriate relationship with the female subordinate.

9. Stop & Shop conducted an full investigation into my conduct based on the male subordinate's statements despite the fact that the female subordinate did not make any complaint about me and denied the existence of any inappropriate relationship.

Signed under the penalties of perjury this 1st day of June, 2006.

/s/ Joseph Rosemond
Joseph Rosemond